



IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 133 OF 2024 (IKJ)

B E T W E E N:

- (1) CANTERBURY SECURITIES, LTD. (IN OFFICIAL LIQUIDATION)**
(2) KAREN SCOTT AS JOINT OFFICIAL LIQUIDATOR OF CANTERBURY SECURITIES, LTD
(3) RUSSELL HOMER AS JOINT OFFICIAL LIQUIDATOR OF CANTERBURY SECURITIES, LTD

Applicants

- and -

- (1) ERIN WINCZURA**
(2) PFS LTD
(3) CANTERBURY GROUP

Respondents

INJUNCTION PROHIBITING DISPOSAL OF ASSETS

To: **ERIN WINCZURA**
24 Shamrock Road
Prospect
Grand Cayman
Cayman Islands

And to: **PFS LTD**
c/o WB Corporate Services
Artemis House
67 Fort Street
Grand Cayman

And to **CANTERBURY GROUP**
c/o WB Corporate Services
Artemis House
67 Fort Street
Grand Cayman

PENAL NOTICE

IF YOU, BEING ONE OF THE NAMED RESPONDENTS TO THIS ORDER DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS A RESPONDENT TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

IMPORTANT:

NOTICE TO THE RESPONDENTS

This Order prohibits you, being one of the named Respondents to this Order, from dealing with the assets specified in this Order. The Order is subject to the exceptions at the end of the Order. You should read it all carefully. You are advised to consult an attorney as soon as possible. You have a right to ask the Court to vary or discharge this Order.

THE ORDER

- A. An Application was made today 24 April 2024 by Counsel for the Applicants to the Honourable Justice Kawaley. Upon hearing Counsel for the Applicants the Honourable Justice Kawaley heard the Application and read the Affidavits listed in Schedule 2 and accepted the undertakings set out in Schedule 1 at the end of this Order.
- B. This Order was made at a hearing without notice to the Respondents. The Respondents have a right to apply to the Court to vary or discharge the Order – see paragraph 9 below.
- C. There will be a further hearing in respect of this Order on a date to be fixed by the Court (the “Return Date”).

As a result of the Application **IT IS ORDERED** that:

DISPOSAL OF ASSETS

- (1) The First Respondent must not in any way dispose of or deal with or diminish the value of any of her assets wheresoever located including without limitation The Property at 24 Shamrock Road, Grand Cayman up to the value of US\$30,000,000
- (2) The Second Respondent shall not dispose of any sums in Bank accounts including without limitation at CIBC USA in its name or in the names of Canterbury Securities, Ltd or any other sum belonging to the First Plaintiff up to the value of US\$30,000,000
- (3) The Third Respondent shall not dispose of any sums in Bank accounts including without limitation at CIBC USA in its name or in the names of Canterbury Securities, Ltd or any other sum belonging to the First Plaintiff up to the value of US\$30,000,000

DISCLOSURE OF INFORMATION

1. Each Respondent must provide the Applicants' attorneys with the following information within 7 days from the date this Order is served on it:
 - a. Full details of the location, nature and amount of any assets held either directly or indirectly by the First, Second or Third Respondents.
 - b. Full details of the location, nature and amount of any assets which are or were at any time the property of the First Plaintiff or which were at any time held either directly or indirectly by the First Plaintiff.
 - c. The information specified in Schedule 3 to this Order.

USE OF INFORMATION

2. To the extent that the Applicants obtain any information as a result of this Order such information may be used by the Applicants in these proceedings, or in the proceedings which it has issued in Ontario Superior Court of Justice under cause number CV-24-00714822-00CL which shall include for the avoidance of doubt any enforcement action in relation to those proceedings.

EFFECT OF THIS ORDER

3. A Respondent who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
4. A Respondent which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees, or agents or in any other way.
5. It is a contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have their assets seized.
6. This injunction does not prevent any bank from exercising any right of set-off it may have in respect of any facility which it gave to a Respondent before it was notified of this Order. No bank need enquire as to the application or proposed application of any money withdrawn by a Respondent or anyone aiding or abetting a Respondent, if the withdrawal appears to be permitted by this Order.

UNDERTAKINGS

7. The Applicants give to the Court the undertakings set out in Schedule 1 to this Order.

DURATION OF THIS ORDER

8. This Order will remain in force up to and including the Return Date, unless before then it is varied or discharged by a further Order of the Court. The Application in which this Order is made shall come back to the Court for further hearing on the Return Date.

VARIATION OR DISCHARGE OF THIS ORDER

9. The Respondents or anyone notified of this Order may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person) but anyone wishing to do so must first inform the Applicants' attorneys in writing on not less than 3 days' notice.

COSTS

10. The costs of this application are reserved.

INTERPRETATION

11. In this Order 'he', 'him' or 'his' include 'she' or 'her' or 'its'. Where there are two or more Respondents then (unless the context indicates otherwise) (a) references to 'the Respondents' means all of them; (b) an order requiring 'the Respondents' to do or not do anything requires each

Respondent to do or not to do it; (c) a requirement relating to service of this Order or of any legal proceedings on 'the Respondents' means on each of them.

Dated this 26 day of April 2024

Filed this 26 day of April 2024



The Honourable Justice Kawaley
JUDGE OF THE GRAND COURT

SCHEDULE 1

Undertakings given to the Court by the Applicants

1. If the Court later finds that this Order has caused loss to the Respondents, and decides that the Respondents should be compensated for that loss, the Applicants will comply with any order the Court may make. The liability of the Joint Official Liquidators of Canterbury Securities, Ltd. (“**Company**”) pursuant to this undertaking shall be limited to the value of the assets in the liquidation estate of the Company.
2. As soon as practicable the Applicants will serve on the Respondents a Summons for the Return Date, together with a copy of the Affidavits and Exhibits containing the evidence relied on by the Applicants.
3. Anyone notified of this Order will be given a copy of it by the Applicants’ attorneys, who are:

Nelsons Attorneys at Law Ltd
Grand Pavilion
802 West Bay Road
Grand Cayman
Cayman Islands
Ref: JH/4911-2 / Tel: +1 345 949 9710 / email: jharris@nelsonslegal.com
4. The Applicants will pay the reasonable costs of anyone other than the Respondents which have been incurred as a result of this Order including the costs of ascertaining whether that person holds any of the Respondents’ assets and that of the Court later finds that this Order has caused such a person loss, and decides that the person should be compensated for that loss, the Applicants will comply with any Order the Court may make.

SCHEDULE 2

Affidavits

The Judge read the following affidavits before making this Order:

- (1) First Affidavit of Karen Scott sworn on 23 April 2024 and the Second Affidavit of Karen Scott sworn on 24 April 2024.

SCHEDULE 3

Information required to be provided by the Respondents

1. Bank account statements showing the location of the proceeds of sale of the YRIV shares (which were the subject of the proceedings in Cause No. FSD 227 of 2018) (“**Proceeds**”) from 6 December 2018 to date or until such time as the Proceeds or part thereof left the Respondent's control. For the avoidance of doubt, such statements shall be statements of the bank account(s) in which the Proceeds have stood and/or are presently standing as a credit balance with the financial institution(s) at which the bank account(s) is (are) held, and shall not include merely the statements of any custodian used by the Respondent as a custodian of the Proceeds;
2. A screen shot showing the current location, precise value and registered custodian of the Proceeds insofar as those Proceeds remain in the Defendant's control; and
3. Full details of any transactions related to the acquisition and disposal by Canterbury Securities, Ltd of:
 - (i) shares in Thinkbox; and
 - (ii) a treasury bill as detailed in the Eighth Affidavit of Erin Winczura sworn in Cause No. FSD 227 of 2018

including in each case bank statements showing the source and transmission of funds used or realized and the present whereabouts of any proceeds.